

To: Pearson, Janice[pearson.janice@epa.gov]; Poetter, Joe[poetter.joe@epa.gov]; Smith, Paula[Smith.Paula@epa.gov]
Cc: Peterson, Cynthia[Peterson.Cynthia@epa.gov]; Jenkins, Laura Flynn[Jenkins.Laura@epa.gov]; Mylott, Richard[Mylott.Richard@epa.gov]; Mills, Bethany[Mills.Bethany@epa.gov]; Sandoval, Joni[Sandoval.Joni@epa.gov]; Williams, Laura[williams.laura@epa.gov]; Ostrander, David[Ostrander.David@epa.gov]; marilyn smith[m.smith@erllc.com]
From: Braun, Richard
Sent: Tue 11/17/2015 5:21:20 PM
Subject: RE: It could of been resolved... but no one listened

And of course, **a great big thanks** to Marilyn Smith and Environmental Restoration for their willingness to go above and beyond in helping us to resolve this delicate matter.

Richard Braun

EPA Region 8

Contracting Officer

303-312-6380

braun.richard@epa.gov

From: Pearson, Janice
Sent: Tuesday, November 17, 2015 10:01 AM
To: Braun, Richard; Poetter, Joe; Smith, Paula
Cc: Peterson, Cynthia; Jenkins, Laura Flynn; Mylott, Richard; Mills, Bethany; Sandoval, Joni; Williams, Laura; Ostrander, David; marilyn smith
Subject: RE: It could of been resolved... but no one listened

Richard-

Thank you very much for working with the contractor to resolve this so quickly. This is the best solution for all parties. It is unfortunate that this small business was not adequately informed of the reimbursement process from the beginning. She was under the misunderstanding that payment would be made immediately after services rendered. By the way, she did do a great job in cleaning the command post, during occupation and final move out.

Thanks again for your assistance!

-Janice

Janice A. Pearson
UST, Solid Waste and PCB Unit Chief
Resource Conservation and Recovery Program
US EPA, Region 8, 8P-R
1595 Wynkoop
Denver, CO 80202-2466
Phone: (303) 312-6354
Fax: (303) 312-7084
email: pearson.janice@epa.gov

From: Braun, Richard
Sent: Tuesday, November 17, 2015 9:47 AM
To: Poetter, Joe; Smith, Paula
Cc: Peterson, Cynthia; Jenkins, Laura Flynn; Mylott, Richard; Mills, Bethany; Pearson, Janice; Sandoval, Joni; Williams, Laura; Ostrander, David; marilyn smith
Subject: RE: It could of been resolved... but no one listened

All,

I just got off the phone with Marilyn Smith of Environmental Restoration; she said that although they feel interest is not owed to this subcontractor, the plan is to issue a check today and overnight it. She will send out an email with the tracking info. when this has been accomplished.

Richard Braun

EPA Region 8

Contracting Officer

303-312-6380

braun.richard@epa.gov

From: Braun, Richard
Sent: Tuesday, November 17, 2015 8:33 AM
To: Poetter, Joe; Smith, Paula
Cc: Peterson, Cynthia; Jenkins, Laura Flynn; Mylott, Richard; Mills, Bethany; Pearson, Janice
Subject: RE: It could of been resolved... but no one listened

Joe,

I am currently researching the terms of our contract with the prime to see what clauses flow down and what rights that may confer on the subcontractor.

I left a voicemail with the prime contractor to call and discuss the details of the situation asap.

Richard Braun

EPA Region 8

Contracting Officer

303-312-6380

braun.richard@epa.gov

From: Poetter, Joe
Sent: Tuesday, November 17, 2015 8:24 AM
To: Smith, Paula
Cc: Peterson, Cynthia; Jenkins, Laura Flynn; Mylott, Richard; Mills, Bethany; Pearson, Janice; Braun, Richard
Subject: RE: It could of been resolved... but no one listened

Paula,

This was subcontracted by Environmental Restoration to the cleaning services company (through our ERRS contract). ER did indicate they were sending an overnight check for the services. I'm not sure if late fees are/were due and if they are being paid by ER and am unsure how much control we would have over this since it was subcontracted.

Rich, can you confirm that any late fees due would need to be worked out between the cleaning service and ER?

Thanks,

Joe

From: Smith, Paula
Sent: Tuesday, November 17, 2015 8:02 AM
To: Poetter, Joe
Cc: Peterson, Cynthia; Jenkins, Laura Flynn; Mylott, Richard
Subject: Fwd: It could of been resolved... but no one listened

Do you know if late fees are being paid and if not why? Nancy G would like to get on the phone with us about this. If you are not appropriate person to answer can you direct me to who might be?

Also do you know if anyone's talked to the individual directly? Thanks! Paula

Sent from my iPhone

Begin forwarded message:

From: "Smith, Paula" <Smith.Paula@epa.gov>
Date: November 17, 2015 at 7:36:03 AM MST
To: "Grantham, Nancy" <Grantham.Nancy@epa.gov>
Cc: "Mylott, Richard" <Mylott.Richard@epa.gov>, "Jenkins, Laura Flynn" <Jenkins.Laura@epa.gov>
Subject: Re: It could of been resolved... but no one listened

Will check around to try and determine who might have contact info. Then can talk must times today.

Sent from my iPhone

On Nov 17, 2015, at 6:18 AM, Grantham, Nancy <Grantham.Nancy@epa.gov> wrote:

We need to connect with you asap on this – hopefully with a contracts person to understand why the late fees are not being paid. Also, need to know if anyone has spoken via phone with her.

Know you are compromised by the weather.

Thanks ng

From: Smith, Paula
Sent: Tuesday, November 17, 2015 7:34 AM
To: Mylott, Richard <Mylott.Richard@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Jenkins, Laura Flynn <Jenkins.Laura@epa.gov>
Subject: Re: It could of been resolved... but no one listened

FYI

Sent from my iPhone

On Nov 16, 2015, at 6:09 PM, Mylott, Richard <Mylott.Richard@epa.gov> wrote:

Fyi...

From: Williams, Laura

Sent: Monday, November 16, 2015 6:06 PM
To: Mylott, Richard; Peterson, Cynthia; McClain-Vanderpool, Lisa
Subject: FW: It could of been resolved... but no one listened

From: Pearson, Janice
Sent: Monday, November 16, 2015 5:12 PM
To: Ostrander, David; Williams, Laura
Cc: Sandoval, Joni; Braun, Richard
Subject: FW: It could of been resolved... but no one listened

This is a heads up that Kelly Roberson, who was conducted the cleaning services at the Gold King Mine Release Incident will be sending out an email complaint to the Durango papers, etc, because she was not paid her full outstanding payment PLUS late fees today.

Joni and Richard Braun worked with ERS to expedite the payment today via overnight check. Since they did not pay the late fee she still plans to start her "email campaign" this evening.

Janice A. Pearson
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email: pearson.janice@epa.gov

From: Marilyn Smith [<mailto:m.smith@erllc.com>]
Sent: Monday, November 16, 2015 4:35 PM
To: kelley@candoservices.co

Cc: Braun, Richard; Sandoval, Joni; Pearson, Janice; Daniel Knapp; Nathaniel Olk
Subject: FW: It could of been resolved... but no one listened

Ms. Roberson:

The email states the payment was being issued.

From: kelly@candoservices.co [mailto:kelly@candoservices.co]
Sent: Monday, November 16, 2015 5:06 PM
To: Marilyn Smith <m.smith@erllc.com>
Subject: It could of been resolved... but no one listened

due to emergency campaign will start later this evening...

I did call the newspaper and they were quite interested in this story..

Kelley Roberson

Can Do Services

970-903-8057

----- Original Message -----

Subject: RE: I need HELP and ACTION 11:30 UPDATE

From: "Marilyn Smith" <m.smith@erllc.com>

Date: 11/16/15 3:51 pm

To: "kelley@candoservices.co" <kelley@candoservices.co>

Cc: "Braun, Richard" <Braun.Richard@epa.gov>, "Sandoval, Joni"

<Sandoval.Joni@epa.gov>, "Pearson, Janice" <pearson.janice@epa.gov>,

"Daniel Knapp" <d.knapp@erllc.com>, "Nathaniel Olk" <n.olk@erllc.com>

Ms. Roberson:

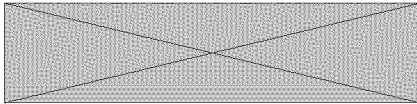
Payment is being issued via Check No. 164364 and being sent Federal Express Priority (Tracking No. 869735151274) to your attention to the address as listed on your W-9.

Marilyn Smith

Program Manager

Environmental Restoration LLC

<http://www.erllc.com/>



From: Sandoval, Joni [<mailto:Sandoval.Joni@epa.gov>]

Sent: Monday, November 16, 2015 2:41 PM

To: Pearson, Janice <pearson.janice@epa.gov>; kelley@candoservices.co

Cc: Nathaniel Olk <n.olk@erllc.com>; Daniel Knapp <d.knapp@erllc.com>;

Braun, Richard <Braun.Richard@epa.gov>; Marilyn Smith
<m.smith@erllc.com>
Subject: RE: I need HELP and ACTION 11:30 UPDATE

Janice/Kelley-

Hi,

I am the ER Project Officer for the EPA R8 office. I have spoken w/ER, and was told a check is being mailed today for the invoice dated 10/25/15. I cannot speak for ER, but was informed that typically we are unable to pay vendors so quickly, and an exception was made in this instance to mediate this issue and comply w/the subcontract. Any further issues or concerns should be sent to Richard Braun who is the contracting officer for ER, however I'm hoping since the payment is being sent today everything will be resolved. Thank you and I apologize for any inconvenience.

From: Pearson, Janice
Sent: Monday, November 16, 2015 1:28 PM
To: Sandoval, Joni
Subject: FW: I need HELP and ACTION 11:30 UPDATE

Janice A. Pearson
UST, Solid Waste and PCB Unit Chief
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From: kelley@candoservices.co [<mailto:kelley@candoservices.co>]

Sent: Monday, November 16, 2015 11:29 AM
To: Daniel Knapp
Cc: Negron, Jose; Dave Mangiaracino; Holmes, Marcus; Pearson, Janice; Nathaniel Olk; j.rick@erllc.com; s.reinhold@erllc.com
Subject: RE: I need HELP and ACTION 11:30 UPDATE

In the last 30 minutes this is what has happened.

<![if !supportLists]>�. <![endif]>Daniel Knapp sent a return email stating he knew nothing of the terms dates. I have forwarded back to him an email sent to him on 10/12/15 with the terms fully stated in it. He has also stated that **i agreed to his terms of 30 days**. This is a bold face lie. I never agreed to such and would not of done so verbally. He also tells me he no longer has anything to do with it to call Corporate.

<![if !supportLists]>�. <![endif]>I have made two calls to Environmental Restoration on to be sent to S. Reinholds' voice mail. The only call I have received was a misdial from Corporate receptionist.

Next update will be at 12:00 **Maybe I will start calling phone numbers!**
I am pissed off... so I really don't care at the moment who else is pissed off.

Sorry guys and gals. Someone just get me paid and I will just fade away !
!!! I did my job... now someone do theirs, please

Kelley Roberson

----- Original Message -----

Subject: I need HELP and ACTION
From: kelley@candoservices.co
Date: 11/16/15 11:09 am
To: "Daniel Knapp" <d.knapp@erllc.com>
Cc: "Jose Negron" <negron.jose@epa.gov>, "Dave Mangiaracino" <d.mangiaracino@erllc.com>, "Marcus Holmes" <holmes.marcus@epa.gov>, pearson.janice@epa.gov, "Nathaniel Olk" <n.olk@erllc.com>, j.rick@erllc.com

TO ANY AND ALL INVOLVED IN THE DURANGO EPA FIELD
OFFICE

Daniel Knapp, Jose Negron was the one who made contact with me. Jose stated he could have us paid via credit card if I wanted to be paid that way, I opted not to as I would loose money. He did tell me he would see to it that we were taken care of. I really don't think this is what Jose Negron was expecting to happen. I suggest you read the entire email. Thank you.

I have been once again "passed" off. Was not even given a name this time.... just a company phone number to call. I took care of this office in a timely manner and did a damn good job. Not I am getting the run a round.

I am so sorry that I have come to this level of action. I need help. I am adding everyone I have access to this email since no one wants to respond to previous emails and or calls.

MY terms were we would invoice on the 25th of the month DUE by they 5th of the next month. NO OTHER TERMS WERE AGREED TO, so **my terms are what was set.**

Every month I have had to do battle and re explain this. That is sad.

I am now starting a campaign to get the funds I am entitled to immediately. Simple, want me off of everyone's back.. get me paid. I have people calling me who did work on the Durango EPA office I need to pay and due to Environmental Restoration, LLC. failure to recognize terms **they agreed to**, I am having to take multiple unhappy phone calls from from subcontractors. I look at it like this.... if I am unhappy from the phone calls I am receiving or from lack of response and or closure

from ERLLC... then other people will join me in being unhappy.

I do want to apologize to those who have been caught is this unhappy happening... but I am at wits end. The next people who will be added to my email and phone campaign are the following:

<![if !supportLists]>�. <![endif]>City of Durango

<![if !supportLists]>�. <![endif]>Dean Brookie - Mayor

<![if !supportLists]>�. <![endif]>Christina Rinderle - Mayor Pro Tem

<![if !supportLists]>�. <![endif]>Sweetie Marbury - Councilor

<![if !supportLists]>�. <![endif]>Dick White - Councilor

<![if !supportLists]>�. <![endif]>Keith Brant - Councilor

<![if !supportLists]>�. <![endif]>Durango Herald

<![if !supportLists]>�. <![endif]>Inside Durango TV

<![if !supportLists]>�. <![endif]>Every activist group I can find.

No threats... just trying to get paid NOW.

THIS will be started at 2:00 this afternoon. Want to stop it... **then someone respond and get me paid please. IT IS THAT SIMPLE.**

AGAIN, "WHO EVER" AGREED TO MY TERMS. DON'T PUSH ERLLC "TERMS" AT ME AGAIN.

Daniel, I can't seem to find someone to take a call at the 636-227-7477 number, it just goes to voice mail.

Kelley Roberson

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